

### **III. REMARKS**

#### **Status of the Claims**

Independent claims 1,7,13, and 62-64 are amended. Claims 24, 28, 29, 34, 37, 56, 59 and 60, are cancelled. Claims 1, 3-7, 9-11, 13, 16, 19, 21-23, 25-27, 30-36, and 44, 45, 47, 49-55, 57, 58, and 61-64 are presented for further consideration.

#### **The Office Action**

Claims 1,3-5,7,9-11,13,16,21-29,31-37,44,45, and 49-64 stand rejected under 35USC103(a) on the basis of the cited reference Endsley, U.S. Patent No. 6,005,613, in view of the teaching of the reference Griencewic, U.S. Patent No. 5,801,919.

Applicant has amended the independent claims to make it clear that the camera module of this application processes the image information after it is captured and determines the manner in which the image information is transferred to the electronic device. In addition it is specified that the reduced form of the captured information is suitable for a view finder mode of operation and includes substantially the entire area of the captured image information.

The Examiner is respectfully requested to reconsider the rejection in view of the above amendments and the following remarks. This rejection is traversed on the following grounds:

The combined teaching of Endsley and Griencewic does not render the claims obvious because it fails to teach or otherwise suggest each and every limitation of the claims. It is well settled that in order to establish a prima facie case for obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, without

reference to the disclosure of this application. (MPEP Section 2142) *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP § 2143 - § 2143.03 for decisions pertinent to each of these criteria.”

In particular the combined teaching fails to disclose or suggest the claimed features of independent claim 1 as follows:

**“using the electronic device for controlling, whether the digital image information, after having been captured by the camera module, is to be transferred to the electronic device as captured, or in a reduced form, suitable for a view finder mode display, said reduced form being a representation of substantially the entire image area of the captured digital image information;”**

In particular Endsley fails to disclose or suggest a system, method, or device in which the host device controls the hardware and software that provides communication between a camera module and the host device in a manner, according to the claims, that results in the host device controlling whether the digital image information, after having been captured by the camera module, is to be transferred to the electronic device as captured, or in a reduced form, suitable for a view finder mode display. The reduced form is specified as being a representation of substantially the entire image area of the captured digital image information. Although only the limitations of claim 1 are stated above, equivalent language now appears in all of the independent claims. The disclosure of the reference Griencewic does not remedy this deficiency in the disclosure of Endsley.

The claims of this application are directed to a method, system and devices for transferring image data from a camera module to a host device. The Examiner references several excerpts from the cited reference Endsley, in particular at column 4, lines 60-65, as follows:

**“The host computer 12 controls the camera picture-taking process by instructing the camera 10 when to take still or motion pictures, and**

**setting the electronic exposure time and the analog gain in the CDS/gain block 24 via the microprocessor 38. The USB hardware and software provides communication between the host 12 and the camera 10 through the aforementioned abstraction called a "pipe". When the camera 10 is connected to the host 12, camera driver software running on the host 12 indicates the latency and bandwidth required for the camera. "**

Applicant respectfully submits that this language relates to the image data capturing process and not to the process of transferring the captured image data to the host device, as defined by the independent claims of this application. The reference to bandwidth is dependent on the camera not the image data to be transferred. There is no hint that the image data can be adjusted to a reduced form. The cited reference discusses the transfer of image data at column 8, lines 51-67, which states at the conclusion:

**"The number of packets per frame depends on the camera configuration."**

Thus Endsley fails to teach or suggest that the electronic device is used for controlling how the image data, captured by the camera module, is to be transferred to the electronic device. Therefore the combined teaching cited by the Examiner fails to support prima facie obviousness.

In the system of the cited reference Endsley, the host computer instructs the camera to be set for either still or motion images with the appropriate respective resolution. The camera then captures the image and transfers it to the host computer. This is described at column 3, lines 17-20, as follows:

**"The camera 10 can acquire both still and motion images. The camera `data is processed by the host computer12 to create final images that can be displayed on a computer monitor..."**

The camera in Endsley captures the images and transfers the images, as is, to the host computer.

The examiner seems to equate a cropping function as teaching someone skilled in the art with respect to the transmittal of image information in reduced form, but this in not

the same as a reduced form **"suitable for a view finder mode display, said reduced form being a representation of substantially the entire image area of the captured digital image information;"** as stated in the independent claims as amended. A cropped image, i.e. one having a reduced image area would not be appropriate. Endsley likens the cropped image function to a digital zoom (see column 5, lines 52-55).

The Examiner combines the teaching of Griencewic as showing a camera module as an integral part of an electronic device. This fails to recognize the deficiencies of the reference Endsley, as indicated above. The combined teaching therefore fails to render the independent claims of this application obvious.

Claim 6 stands rejected under 35USC103(a) based on the combined teaching of the references Endsley and Griencewic and further in view of the disclosure of Miyake, U.S. Patent No. 6,400,413. This rejection is traversed on the same grounds, as stated above, based on the inadequacy of the cited reference Endsley.

Claims 19 and 30 stand rejected under 35USC103(a) based on the combined teaching of the references Endsley and Griencewic and further in view of the disclosure of Hsieh, et al, U.S. Patent No. 5,969,750. This rejection is traversed on the same grounds as stated above based on the inadequacy of the cited reference Endsley.

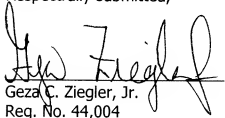
The Examiner is respectfully requested to reconsider these further rejections in view of the above amendments and remarks. The grounds discussed above apply equally to the rejected dependent claims, all of which, by dependency, have the limitations described in the independent claims. None of the cited references remedy the deficiencies of the primary reference Endsley. Therefore the combined teachings cited by the Examiner do not support a prima facie case for obviousness of the claimed subject matter.

In view of the remarks stated above, Applicant submits that all of the amended claims,

currently presented, contain patentable subject matter and favorable action by the Examiner is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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Date

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